REMARKS

In the Office Action, the Examiner provisionally rejected claims 8 and 18 based on a judicially created doctrine of obviousness-type doubling patenting as being unpatentable over claims 4, 12, and 19 of copending U.S. Patent Application No. 10/676,374 of Cherdron et al. ("Cherdron"); rejected claims 2, 3, 11, and 12 under 35 U.S.C. § 112, first paragraph, as purportedly failing to comply with the written description requirement; and rejected claims 1-22 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Application No. 2002/0108101 of Charisius et al. ("Charisius").

By this Reply, Applicants have amended claims 1, 10 and 18. Support for the amendments can be found, for example, at page 14 of the specification. Claims 1-22 are currently pending. Based on the foregoing amendments and the following remarks, Applicants respectfully traverse the rejections of the pending claims.

A.   Double Patenting Rejections

The Examiner provisionally rejected claims 8 and 18 under the judicially created doctrine of obviousness-type double patenting over claims 4, 12, and 19 of Cherdron. Applicants respectfully request that the Examiner hold all double-patenting rejections in abeyance until the indication of otherwise allowable subject matter. Upon review of the remarks made in this paper, should the Examiner believe this application to be in condition for allowance but for the double patenting rejections held in abeyance, Applicants respectfully request that the Examiner contact the undersigned representative to discuss an appropriate resolution.

B.   Rejections of Claims 2, 3, 11, and 12 under 35 U.S.C. § 112, First Paragraph

The Examiner rejected claims 2, 3, 11, and 12 under 35 U.S.C. § 112, first paragraph, as purportedly failing to comply with the written description requirement. The Examiner specifically pointed out that there is no description anywhere in the specification enabling "wherein the set of intermediate objects is generated using the second model," as recited in claim 2. Office Action at 5. The Examiner asserted that "[i]t is clearly stated that the set of intermediate objects creation is not utilizing this second model (Specifications, pg. 6, top), and this would make sense because by the time these intermediate objects were first created, the second model had not yet been created." Id. Applicants respectfully disagree.

As the Examiner correctly observed, the specification provides examples of the first language, the second language, and the intermediate objects on page 6. "The first language can include UML." Page 6, lines 3-4. "The second language can include XML." Page 6, line 3. "The set of intermediate objects can include Java objects." Page 6, line 4. The Examiner is wrong, however, in asserting that "the set of intermediate objects creation is not utilizing this second model." Office Action at 5. Applicants respectfully submit that the intermediate objects are not necessarily intermediate objects for generating the second models. Therefore, there is no basis for the Examiner's observation that "by the time these intermediate objects were first created, the second model had not been created." Office Action at 5.

Further, contrary to the Examiner's assertion, the specification provides, in connection with one embodiment, the following description:

> In process 1100, a metamodel administrator 1105 uses a modeling tool 1110 to create and/or modify **a UML class diagram 1115** representing the metamodel . . . that serves as the basis for the derivation. Once a metamodel is complete, a process 1100 generates a standards-based XML Metadata Interchange (XMI) model description 1120. That is, **XMI model 1120 is a representation of the UML metamodel 1115, written in XML** and described according to the XMI standard. Process 1100 **parses the XMI model description 1120** using a Simple API for XML (SAX)-based XML parser 1125 **to generate a representation of the metamodel as a set of intermediate objects** 1130 (e.g., Java objects). . . .

Page 29, line 22 - Page 30, line 7 (emphasis added).

In the above description, a first model (UML class diagram 1115) is converted to a second model (XMI model 1120, which is a representation of the UML class diagram 1115) in a second language (in XML). Then, the second model is used (XMI model 1120 is parsed) to generate a set of intermediate objects. FIG. 11 also illustrates the above description.

For at least the reasons set forth above, claims 2, 3, 11, and 12 comply with the written description requirement under 35 U.S.C. § 112, first paragraph. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 112, first paragraph, rejection of claims 2, 3, 11, and 12.

C. Rejections of Claims 1-22 Under 35 U.S.C. § 102(b)

Applicants respectfully traverse the rejection of claim 1 under 35 U.S.C. § 102(b) as being anticipated by <u>Charisius</u> for at least the reason that <u>Charisius</u> fails to disclose every claim element recited in claim 1.

<u>Charisius</u> is related to methods and systems for synchronizing graphical and textual displays of a software development tool, which is designed to support more than

one programming language. Amended independent claim 1 recites, among others, "receiv[ing] a first model in a first language, the first model defining development objects representing building blocks for developing [an] application, relationships among the development objects, and constraints for developing the application; generat[ing] a set of intermediate objects using the first model; and generat[ing] an API using the set of intermediate objects as inputs such that the API enforces the relationships and the constraints defined in the first model and enables accessing the development objects."

With respect to the claim recitation to "receive . . . ," the Examiner asserted that "language neutral representation being instantiated as SCI package 304 from core model 302 **reads on** model being in first language whose Java classes are building blocks." Office Action at 6. Applicants respectfully submit that the Examiner's assertion is based on the Examiner's mischaracterization, and thus is not supported by Charisius.

The Examiner characterized the element 302 as core model 302, from which SCI package 304 is instantiated from. However, the element 302 represents a Source Code Interface (SCI) model 302, which "corresponds to a directory for a software project." Charisius, page 4, paragraph [0060]. And, SCI package 304 "corresponds to a subdirectory" within the directory represented by SCI model 302. Id. Nowhere does Charisius disclose that the SCI model 302 is a core model, and/or that SCI package 304 is instantiated from SCI model 302, as asserted by the Examiner. Rather than having the "instantiated from" relationship, SCI model 302 and SCI package 304 merely represent different levels in a directory structure of a software project. Id.

Furthermore, even assuming that SCI package 304 is instantiated from SCI model 302, Charisius fails to teach that SCI package 304 (alleged first model) defines

relationships among SCI model 302 and constraints for developing an application. Rather, SCI package 304 is a mere language neutral representation of the directory structure of already existing source code, and thus relationships and constraints, if any, are likely to be defined in the source code, not in SCI package 304.

With respect to the claim recitation to "generate a set of intermediate objects . . . ," the Examiner asserted that a transient meta model (TMM) 200 teaches a set of intermediate objects. Office Action at 6. However, nowhere does Charisius teach that TMM 200 (alleged intermediate objects) is generated using SCI package 304 (or even SCI model 302, SCI class 306, and/or SCI member 308). In fact, FIG. 2 of Charisius depicts an arrow drawn from Source Code 202 to TMM 200, which suggests that TMM 200 is generated using Source Code 202 but not using SCI package 304 (alleged first model).

The Examiner also referred to Fig. 5 and paragraph [0061] as disclosing "generat[ing] a set of intermediate objects using the first model." Office Action at 6. However, Fig. 5 and paragraph [0060] merely describe SCI package 304, SCI class 306, and SCI member 308 in greater detail with examples. SCI package 304, SCI class 306, or SCI member 308 is a language neutral representation, which teaches a first model in a first language, as suggested by the Examiner with respect to the claim recitation to "receive . . . ."

With respect the claim recitation to "generate an API . . . ," the Examiner asserted that "using the packages of code represented in the model of Fig. 3, along with templatized view of source code objects to generate an instance of RWI, IDE or SCI from the core API 702 **reads on** using intermediate objects to create one such API

instantiated for further tasks." Office Action at 6. The Examiner relied on "the packages of code represented in the model of Fig. 3" being a set of intermediate objects, while with respect to the claim recitation to "generate a set of intermediate objects . . . ," Examiner asserted that TMM 200 constitutes a set of intermediate objects. In fact, with respect to the claim recitation to the claim recitation to "receive . . . ," the Examiner suggested that "the packages of code represented in the model of Fig. 3" constitute a first model.

Applicants respectfully request that the Examiner clearly identify the elements in Charisius or any other references that correspond to a first model, a set of intermediate objects, an API, and development objects, and use the identified elements to establish the relationships among the first model, the set of intermediate objects, the API, and the development objects. For example, if the Examiner identified SCI package 304 as a first model, identified TMM 200 as a set of intermediate objects, and identified RWI, IDE, or SCI as an API, Applicants respectfully request that the Examiner establish that Charisius teaches generating TMM 200 using SCI package 304, and generating RWI, IDE, or SCI using TMM 200 as inputs such that RWI, IDE, or SCI enforces the relationships and the constraints defined in SCI package 304.

Charisius fails to teach that an instance of RWI, IDE, or SCI is generated using TMM 200 (alleged intermediate objects). Even assuming that the packages of code represented in the model of Fig. 3 constitute intermediate objects, and thus an instance of RWI, IDE, or SCI is generated using the packages of code, as asserted by the Examiner, nothing in Charisius even suggests that the instance of RWI, IDE, or SCI

enforces the relationships among development objects and the constraints defined in any model or element.

For at least the reasons set forth above, Charisius fails to teach every claim element recited in amended independent claim 1. Accordingly, Applicants respectfully request reconsideration and withdrawal of the § 102 rejection of claim 1 based on Charisius.

Amended independent claims 10 and 18 recite features that are similar to the features recited in amended independent claim 1. For reasons similar to those set forth with respect to amended independent claim 1, Charisius does not support the § 102 rejection of amended independent claims 10 and 18. Accordingly, Applicants respectfully request reconsideration and withdrawal of § 102 rejection of claims 10 and 18 based on Charisius.

Claims 2-9, 11-17, and 19-22 depend from amended independent claims 1, 10, and 18, respectively. Thus, claims 2-9, 11-17, and 19-22 are allowable at least by virtue of their dependence from an allowable independent claim. Furthermore, claims 2-9, 11-17, and 19-22 recite further distinctions over Charisius. For example, claim 2 recites, among others, "convert[ing] the first model to a second model in a second language, wherein the set of intermediate objects is generated using the second model." The Examiner failed to give any patentable weight to "generated using the second model," and interpreted the limitation as "related to the context of generating the second model" based on the § 112, first paragraph, rejection. Office Action at 7. As explained above with respect to the § 112, first paragraph, rejection, claims 2, 3, 11, and 12 comply with the written description requirement. Thus, claims 2, 3, 11, and 12

are further distinguishable from <u>Charisius</u> because the reference fails to teach

generating a set of intermediate objects using a model in XML (alleged second

language).

For these additional reasons, <u>Charisius</u> does not support the § 102 rejection of

claims 2-9, 11-17, and 19-22. Accordingly, Applicants respectfully request

reconsideration and withdrawal of the § 102 rejection of claims 2-9, 11-17, and 19-22

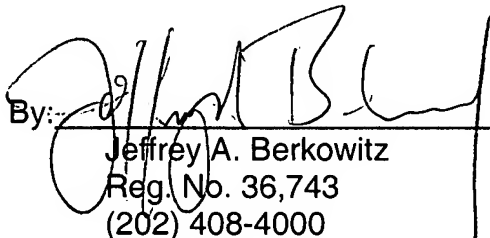based on <u>Charisius</u>.

D.   <u>Conclusion</u>

In view of the foregoing amendments and remarks, Applicants respectfully

request reconsideration and reexamination of this application and the timely allowance

of the pending claims.

Please grant any extensions of time required to enter this response and charge

any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: October 3, 2007   By: _____

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